

REMARKS

Applicants cancel claims 3 and 7. Claims 1-2, 4-6, and 8-14 remain pending in the application. Applicants amend claims 1 and 6 to incorporate the respective features of canceled claims 3 and 7. No new matter has been added.

Claims 1, 2, 6, and 14 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Applicants' Admitted Prior Art ("AAPA") in view of U.S. Patent No. 6,501,736 to Smolik et al., and further in view of U.S. Patent No. 6,590,928 to Haartsen; and claims 3-5 and 7-13 were rejected under 35 U.S.C. § 103(a) as being unpatentable over AAPA in view of Smolik et al., further in view of Haartsen, and further in view of U.S. Patent No. 6,442,151 to H'mimy et al. Applicants cancel claims 3 and 7 and incorporate their respective features in claims 1 and 6. Applicants respectfully traverse the Examiner's rejection.

The Examiner relied upon Smolik et al. as a combining reference that allegedly discloses features of the claimed transmission information monitoring part and link forming part. Applicants respectfully submit, however, that Smolik et al. do not disclose or suggest the features as claimed. For example, Smolik et al. merely describe a technique for monitoring call blocking in a communication system to determine whether to reduce speech coder rates, which degrades voice quality, to increase system call carrying capacity. The system described in Smolik et al. only monitors a total power level to a threshold level to determine whether calls are being block. Please see, e.g., col. 9, lines 27-30 of Smolik et al. Smolik et al., therefore, does not disclose monitoring the amount of information being handled, at each link, by a transmission/reception part, or an increasing rate of such amount. Indeed, Smolik et al. describes reducing speech coder rate as a method of addressing the call blocking. Please see, e.g., subprocess 405, Fig. 5, and their corresponding description in Smolik et al. In other words,

Smolik et al. describe degrading the voice quality for existing calls to reallocate the same limited capacity to reduce call blocking. There is only change in call carrying capacity and not in transmission capacity in such a scheme, and the change is not in accordance with the amount of information being handled but perhaps the number of calls not being handled. Therefore, the system described in Smolik et al. does not change transmission capacity in accordance with the amount of information being handled, at each link, by the transmission/reception part, or an increasing rate of such amount.

The Examiner acknowledged that AAPA in view of Smolik et al. and Haartsen does not disclose "alternatively substituting another link having another transmission capacity greater than that of the particular link." Page 6, lines 8-10 of the Office Action. The Examiner replied upon H'mimy et al. as a combining reference that allegedly discloses this feature.

H'mimy et al. describe a technique for reassigning transmission channels based on interference and channel quality measurements. In particular, H'mimy et al. describe a system that divides channels into interference bands based on measured levels of interference, and channel quality categories based on Bit Error Rate (BER) for digital networks or carrier/interference (C/I) for analog networks. The system pre-assigns a channel for a call and variably reassigns the channel for the call based on the interference band and channel quality of the pre-assigned channel. Please see, e.g., Fig. 3, Table 3, and their corresponding description in H'mimy et al. In other words, H'mimy et al. merely describe channel reassignment based on characteristics of the channels themselves and not on the amount of information being handled by or increasing transmission demands of a call.

Smolik et al. describe reducing speech coder rates of an overall system to address call blocking and H'mimy et al. describe channel reassignment according to interference and quality

characteristics of each call channel. Therefore, it would not have been obvious to combine the references in the manner proposed by the Examiner to yield the claimed invention. And it was improper hindsight from the claimed invention to do so.

Even assuming, arguendo, that it would have been obvious to one skilled in the art at the time the claimed invention was made to combine the references, such a combination would at most yield a system that reassigns channels by interference and quality characteristics and separately reduces speech coder rates to address call blocking. As such, the proposed combination of references would still have failed to disclose or suggest,

“a wireless interface part having an interface with a wireless transmission path at a physical layer;
a link forming part accessing the wireless transmission path via the wireless interface part and forming a particular link on the wireless transmission path;
a transmission/reception part transmitting and/or receiving transmission information via the particular link formed by the link forming part; and
a transmission information monitoring part for monitoring, for each link, the amount of the transmission information handled by the transmission/reception part, or an increasing rate of the amount of the transmission information,
the wireless transmission path being formed as a physical channel to which a CSMA system is applied, the CSMA system securing a given transmission quality with respect to a total of a number of links concurrently formable and an amount of the transmission information,
the link forming part forming the particular link on the wireless transmission path, the particular link sharing the wireless transmission path with one or more additional links each associated with an additional wireless terminal device, the particular link and the one or more additional links each being formed with an initialization of the wireless transmission path and persisting while the wireless transmission path remains active, and
the link forming part changing, as to the particular link formed in advance, a transmission capacity to a value which ensures a predetermined transmission quality in accordance with the amount of the transmission information or the increasing rate monitored by the transmission information monitoring part, and alternatively substituting another link having another transmission

capacity greater than that of the particular link," as recited in claim 1. (Emphasis added)

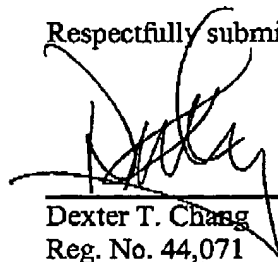
Accordingly, Applicants respectfully submit that claim 1, together with claims 2 and 4-5 dependent therefrom, is patentable over AAPA, Smolik et al., Haartsen, and H'mimy et al., separately and in combination, for at least the above-stated reasons. Claim 6 incorporates features that correspond to those of claim 1 cited above, and is, therefore, together with claims 8-14 dependent therefrom, patentable over the cited references for at least the same reasons.

The above statements on the disclosure in the cited reference represent the present opinions of the undersigned attorney. The Examiner is respectfully requested to specifically indicate those portions of the reference that provide the basis for a view contrary to any of the above-stated opinions.

In view of the remarks set forth above, this application is in condition for allowance which action is respectfully requested. However, if for any reason the Examiner should consider this application not to be in condition for allowance, the Examiner is respectfully requested to telephone the undersigned attorney at the number listed below prior to issuing a further Action.

Any fee due with this paper may be charged to Deposit Account No. 50-1290.

Respectfully submitted,



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